

REMARKS

This Amendment is in response to the non-final Office Action of March 16, 2010 in which claims 18-22 were allowed, 16 and 17 rejected and 23-30 objected to.

Claim 23 has been amended as suggested by the Examiner and withdrawal of the objection thereto is requested. New independent apparatus claim 31 has been modeled on allowed method claim 18 and the allowed dependent claims 19-22 have been amended so as to depend from new apparatus claim 31. Claim 16 has been cancelled as have all dependencies thereto formerly found in claims 23-30. Allowed claim 18 has been amended to remove the European style preamble.

Regarding the obviousness rejection of the only remaining rejected claim 17, the document *Littig* discloses:

A universal radio (401) having an adaptive memory used by field service centers to give a radio user immediate access to a radio system regardless of the model type of the user's defective radio (403) while the defective radio (403) is being repaired. An information set in the defective radio's memory is transferred into the universal radio's memory for subsequent independent operation of the universal radio in the radio system. (see Abstract).

It pertains to a data transfer from one phone to a different phone in a repair service in case one phone is defective. The motivation to transfer the data is completely different (to provide the user with a replacement phone while his phone is in repair), and the process can be done only in a service station, as special complicated procedures have to be performed. This may include opening the defective device and accessing the EEPROM with a cable or taking out the EEPROM and connecting it somehow to the replacement phone so that the contents can be read out. In column 4, lines there 32 to 38 there is an indication how the communication could be done. But it is actually not clearly stated how the devices are linked for the data transfer.

The Examiner has stated for the data link col. 2, lines 60 through 7 "two unit devices with two way communication through a cellular telephone exchange 113". But it is stated that this is used for the operation of call placement, control and interconnection with the public switched telephone network. So that means it is not used for the information transfer, especially not in the case of a repair service.

Further the Applicants would like to highlight that in *Littig* the Universal Radio has no meaning to be connected in addition to another radio. As this Universal Radio is used as

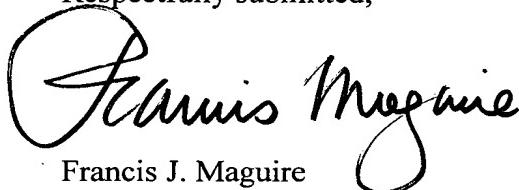
replacement radio in the case of a repair need of a defective radio (see column 1, lines 27 to 35). It would not even be desirable to store further information on the replacement device as the temporary user might have access to information from another user.

*Yasaki* discloses a remote control unit contains user identification means which can be synchronized with a server. The user identification means conducts authentication of a user who is using the remote control unit that may be stored in a portion of a memory (see paragraphs 232 and 241 and Fig. 19).

Based on the above comments it seems clear that the obviousness rejection of claim 17 is incorrect and withdrawal thereof is requested. For at least the same reasons it is requested that the rejection of claims 23-30 be withdrawn as well.

The objections and rejections of the Office Action of March 16, 2010, having been obviated by amendment, withdrawal thereof is requested and passage of claims 17-31 to issue is earnestly solicited.

Respectfully submitted,



Francis J. Maguire  
Attorney for the Applicant  
Registration No. 31,391

FJM/mo  
Customer Number: 4955  
WARE, FRESSOLA, VAN DER SLUYS  
& ADOLPHSON LLP  
755 Main Street, P.O. Box 224  
Monroe, Connecticut 06468  
(203) 261-1234